

Application No.: 10/672,460

Response dated: October 6, 2006

Reply to Notice of Non-Responsive Amendment of September 12, 2006

### REMARKS

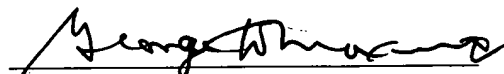
This is responsive to the Notice of Non-Responsive Amendment dated September 12, 2006. A response is due by October 12, 2006, without extending the time for response.

The only issue raised in the office action was to note that applicants' response on May 5, 2006 was considered not fully responsive to the office action because the election with traverse of Group I has not been affirmed in the reply to the office action of September 9, 2005.

Applicant did respond to the election requirement by canceling Claims 46-49 which were withdrawn as being directed to a non elected invention. By this action, Applicants believed they were responding to the prior office action and affirming the election since they impliedly withdraw the traversal and accepted the restriction requirement imposed by the U.S. Patent and Trademark Office. But, to confirm, Applicants affirm the restriction requirement and the election of Group I Claims 1-45 and 50-51, drawn to a pump and method of operating a pump, classified in Class 415, Subclass 121.1 and 1, and make the election without traverse.

Should the Examiner wish to discuss any of the foregoing in more detail, the undersigned attorney would welcome a telephone call.

Respectfully submitted,



George W. Moxon II, Reg. No. 26,615  
Roetzel & Andress  
222 South Main Street  
Akron, Ohio 44308  
Telephone: (330) 376-2700  
Facsimile: (330) 376-4577  
E-mail: gmoxon@ralaw.com

Attorney for Applicant(s)

October 6, 2006